

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERALCase No. EDCV 12-1819 CAS (OPx) Date November 25, 2013Title MICHELLE LEE MANKINS V. UNITED STATES OF AMERICAPresent: The Honorable CHRISTINA A. SNYDERCatherine JeangLaura EliasN/ADeputy ClerkCourt Reporter / RecorderTape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants

Terrence SwinsonMarsha Yasuda, AUSA**Proceedings:** DEFENDANT'S MOTION IN LIMINE #3 (Dkt. 37, filed October 28, 2013)

DEFENDANT'S MOTION IN LIMINE #4 (Dkt. 38, filed October 28, 2013)

On October 28, 2013, defendant United States filed its third and fourth motions in limine. Defendant's third motion in limine seeks to exclude all evidence and testimony relating to property damage, on the grounds that plaintiff's claim for property damage was administratively settled. Defendant's fourth motion in limine seeks to bar plaintiff from introducing evidence of the amounts billed for medical care if the medical providers accepted a lower payment as full satisfaction of the bill.

Plaintiff has not filed an opposition to either motion. Pursuant to Local Rule 7-12, failure to file an opposition may be deemed consent to the granting of a motion. Furthermore, defendant's motions in limine appear to be meritorious. See Ex. 1 at 7-8 (property damage settlement letter from United States to plaintiff's insurer); Howell v. Hamilton Meats & Provisions, Inc., 52 Cal. 4th 541, 566 (2011) (explaining that medical-expense damages are measured by amount paid rather than amount billed). Accordingly, defendant's third and fourth motions in limine are hereby GRANTED.

IT IS SO ORDERED.

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Initials of Preparer

CMJ